

Senate Rule No. 106 in so far as it applies to H. B. No. 49.

The motion prevailed by the following vote:

## Yeas—17

Aikin	Parkhouse
Baker	Phillips
Bradshaw	Reagan
Fuller	Rogers
Gonzalez	Secrest
Kazen	Smith
Moffett	Willis
Moore	Wood
Owen	

## Nays—8

Colson	Herring
Dies	Krueger
Fly	Lane
Hardeman	Martin

## Absent

Crump	Ratliff
Hazlewood	Roberts
Hudson	

## Absent—Excused

Weinert

**Motion to Reconsider vote by which House Bill 49 was Recommitted and Re-referred**

Senator Fuller then moved to reconsider the vote by which H. B. No. 49 was recommitted and re-referred to the Committee on State Departments and Institutions.

Question—Shall the vote by which H. B. No. 49 was recommitted and re-referred to the Committee on State Departments and Institutions be reconsidered?

## Senate Resolution 556

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. Wm. Boake; and

Whereas, We desire to welcome this distinguished visitor to the Capitol building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented Mr. Boake to the Members of the Senate.

## Adjournment

Senator Fly moved that the Senate stand adjourned until 10:00 o'clock a.m. on Monday, May 11, 1959.

Question on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn prevailed by the following vote:

## Yeas—13

Aikin	Kazen
Bradshaw	Krueger
Colson	Lane
Dies	Martin
Fly	Moffett
Hardeman	Wood
Herring	

## Nays—11

Baker	Reagan
Fuller	Rogers
Gonzalez	Secrest
Owen	Smith
Parkhouse	Willis
Phillips	

## Absent

Crump	Moore
Hazlewood	Ratliff
Hudson	Roberts

## Absent—Excused

Weinert

Accordingly, the Senate, at 7:26 o'clock p.m., adjourned until 10:00 o'clock a.m. on Monday, May 11, 1959.

## SIXTY-SECOND DAY

(Monday, May 11, 1959)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Colson
Baker	Crump
Bradshaw	Dies

Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Secrest
Lane	Smith
Martin	Willis
Moffett	Wood
Moore	

Absent—Excused

Fly	Weinert
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, we live in a world of beautiful ideals and brutal facts. We thank Thee for the memory of Mother; the lips that taught us; the feet we followed. May her love, toil, and tears be our inspiration now, as we face the facts of this new day. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 8, 1959, was dispensed with and the Journal was approved.

#### Leaves of Absense

Senator Fly was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Hardeman.

#### Senate Resolution 557

Senator Dies offered the following resolution:

Whereas, In April 1871 the Legislature of Texas provided for the creation of Texas A&M College and a commission was established for the purpose of locating the college; and

Whereas, After Brazos County offered 2,416 acres of land, Texas A&M was located in that County, opening its doors on October 4, 1876; and

Whereas, From that day it grew in numbers and stature as an educational institution; but

Whereas, The following figures of full-time enrollment at such institution reflect that its growth in recent years has ceased, and in fact such total full-time enrollment is decreasing as follows:

1940	6,534
1942	6,549
1943	2,213
1944	2,168
1945	2,825
1946	8,663
1947	8,222
1948	8,285
1949	7,604
1950	6,679
1951	6,582
1952	6,277
1953	6,198
1954	6,258
1955	6,834
1956	7,200
1957	7,469
1958	7,077

Whereas, During this period the other institutions of higher education in Texas and the United States as a whole have experienced great increases in enrollment; and

Whereas, As of August 31, 1940, the State of Texas had invested in Texas A&M College \$12,514,585.75; and

Whereas, The State of Texas now has invested \$42,442,731 in Texas A&M College; and

Whereas, In 1939 the appropriations for the College (not including the Extension Service) was \$878,975; and

Whereas, The same appropriation in 1957 was \$3,576,583 (for the one year ending August, 1957); and

Whereas, World conditions have made it necessary for the United States of America to continue compulsory military service which has decreased and diminished the interest of our young men in attending institutions of learning requiring such military training; and

Whereas, There are many married students at Texas A&M whose wives would undoubtedly attend such institutions if permitted to do so, as well as females living in the area of Texas A&M College; and

Whereas, The Legislature has this session, been asked to assume additional institutions of higher educa-

tion as State Supported schools on the proposition that more institutions of higher education are needed for the education of our youth; and

Whereas, Texas A&M College, which is supported by the taxpayers of the State of Texas could obviously accommodate more students; now, therefore, be it

Resolved, by the Senate of Texas in regular session, That the Board of Directors of Texas A&M College give serious consideration to dropping the requirements of compulsory military training and admitting females as students of such institution.

**DIES  
MOORE  
SMITH**

The resolution was read.

Senator Dies asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Dies then moved that the resolution be considered immediately.

The motion prevailed by the following vote:

**Yeas—15**

Bradshaw	Owen
Crump	Reagan
Dies	Roberts
Fuller	Secrest
Hardeman	Smith
Herring	Willis
Martin	Wood
Moore	

**Nays—13**

Aikin	Lane
Baker	Moffett
Colson	Parkhouse
Hazlewood	Phillips
Hudson	Ratliff
Kazen	Rogers
Krueger	

**Absent**

Gonzalez

**Absent—Excused**

Fly	Weinert
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Senator Baker offered the following amendment to the resolution:

Amend S. R. No. 557 by striking from the resolving clause the following words:

"give serious consideration to dropping" and substituting in lieu thereof the following: "is hereby requested to study the feasibility and desirability of discontinuing."

**BAKER  
PARKHOUSE**

The amendment was adopted.

The resolution as amended was then adopted.

**Record of Votes**

Senators Krueger, Aikin, Parkhouse, Baker, Hazlewood, Willis, Lane and Ratliff asked to be recorded as voting "Nay" on the adoption of the above resolution.

**Senate Concurrent Resolution 78**

Senator Baker offered the following resolution:

S. C. R. No. 78, Enrolling Clerk to make certain correction in H. B. No. 436.

Whereas, House Bill No. 436 passed the Senate on May 8, 1959 and has been returned to the House; and

Whereas, Section 7 of the bill contained an appropriation which would require certification by the Comptroller; and

Whereas, Section 7 was inadvertently left in the Bill when it was in the Senate; now, therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That the Enrolling Clerk of the House be and is hereby directed to delete Section 7 of H. B. No. 436, renumber the succeeding sections and delete that portion of the Caption pertaining to said Section 7.

The resolution was read.

Senator Baker asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Baker then moved to consider the resolution immediately.

The motion to consider immediately prevailed by the following vote:

## Yeas—20

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Dies	Phillips
Fuller	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Willis

## Nays—8

Crump	Martin
Hardeman	Ratliff
Hudson	Roberts
Lane	Wood

## Absent

Gonzalez

## Absent—Excused

Fly                      Weinert

The President then laid S. C. R. No. 78 before the Senate.

Pending discussion of the resolution, on motion of Senator Baker and by unanimous consent the resolution was withdrawn.

## Reason for Vote

I voted against S. C. R. No. 78 because it is an attempt to amend a bill, which has already been passed by both Houses, with a resolution.

MARTIN

## Senate Resolution 558

Senator Crump offered the following resolution:

Whereas, An outstanding citizen and native of the State of Texas, Jack Miller, has just been elected to the presidency of the Texas Junior Chamber of Commerce for the 1959-60 term; and

Whereas, His life, during the brief span of 30 years since his birth in Tarrant County, Texas on July 11, 1929, has been an example of distinguished service and leadership in the affairs of his City, County, State, and Nation; and

Whereas, He is a veteran of the Korean War and received the Bronze Star during that conflict; he entered military service as a private and left

a First Lieutenant, after completing Officers Candidate School at Fort Sill, Oklahoma as a distinguished military graduate; he is now a Captain in Reserve; and

Whereas, He is a member of the Brownwood Civil Defense Unit; and

Whereas, He attended Southern Methodist University and Texas Christian University, and is an active member of the Central Methodist Church of Brownwood; and

Whereas, He served as State Vice-President of the Jaycees in 1955-56, as President of the Brownwood Junior Chamber of Commerce in 1957, and was named outstanding citizen under 35 of the City of Brownwood in 1958; and

Whereas, He has continued a career of public service since his appointment as Administrative Assistant to the Commissioner of the General Land Office on January 3, 1959; now, therefore be it

Resolved, by the Senate of the State of Texas, That the appreciation and congratulations of this Body be extended to Mr. Jack Miller upon his many achievements and particularly upon his election as President of the Texas Junior Chamber of Commerce, and that this Resolution be printed in the Senate Journal; and be it further

Resolved, That an enrolled copy of this Resolution be sent to Mr. Miller.

The resolution was read and was adopted.

Senator Crump by unanimous consent presented Mr. Miller to the Members of the Senate.

House Concurrent Resolution 112  
on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 112, Requesting Texas Legislative Council to make a study of all matters relating to acquisition of highway rights-of-way by the State prior to 1943 and since, interests involved, etc.

The resolution was read.

On motion of Senator Owen and by unanimous consent the resolution was considered immediately and was adopted.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 11, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 267 by viva voce vote.

The House has adopted the Conference Committee Report on House Bill No. 247 by a vote of 125 ayes, 7 noes.

The House has adopted the Conference Committee Report on House Bill No. 47 by a viva voce vote.

The House has concurred in Senate amendments to House Bill No. 158 by viva voce vote.

The House has concurred in Senate amendments to House Bill No. 4 by viva voce vote.

S. C. R. No. 18, Relative to appointing of Texas Commission on County and City Government, etc.

S. C. R. No. 16, Authorizing the Board of Regents of the University of Texas to construct and equip a teaching art museum.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Vote Reconsidered on Final Passage  
of House Bill 436**

On motion of Senator Baker and by unanimous consent the vote by which H. B. No. 436 was passed on Friday, May 8, 1959, was reconsidered.

The President then laid the bill before the Senate on its third reading and final passage.

Senator Baker offered the following amendment to the bill:

Amend House Bill 436 by deleting Sec. 7 and renumbering the succeeding sections.

The amendment was adopted by the following vote:

**Yeas—25**

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fuller	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Willis
Martin	

**Nays—3**

Hudson	Wood
Lane	

**Absent**

Gonzalez

**Absent—Excused**

Fly

Weinert

On motion of Senator Baker and by unanimous consent the caption was amended to conform to the body of the bill as amended.

H. B. No. 436 as amended was then again passed.

**Record of Votes**

Senators Aikin, Lane, Martin, Dies and Hardeman asked to be recorded as voting "Nay" on the final passage of H. B. No. 436.

**House Concurrent Resolution 92  
on Second Reading**

On motion of Senator Hazlewood and by unanimous consent the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 92, Requesting the Legislative Council to study the whole problem of municipal annexation.

The resolution was read and was adopted.

**Message from the Governor**

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,  
May 11, 1959.

To the Senate of the Fifty-sixth  
Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Judge of the Juvenile Court of Dallas County: Lewis F. Russell of Dallas, Dallas County.

Respectfully submitted,  
PRICE DANIEL,  
Governor of Texas.

#### Meeting of Committee on Nominations

On motion of Senator Reagan and by unanimous consent the Committee on Nominations was granted permission to meet while the Senate was in Session.

(Senator Hardeman in the Chair.)

#### Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas,  
May 11, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 985, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

#### House Concurrent Resolution 25 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 25, Requesting governing boards of State Colleges and Universities to file copies of operating budgets in designated libraries.

The resolution was read.

On motion of Senator Martin and by unanimous consent the resolution was considered immediately and was adopted.

#### House Bill 936 on Second Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 936, A bill to be entitled "An Act concerning compensation to persons who have paid fines or served sentences for crimes of which they are not guilty; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 936 on Third Reading

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 936 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

#### Absent—Excused

Fly                      Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Resolution 559

Senator Phillips offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the

1st through 7th Grade Classes of Nursery School, accompanied by their teachers and sponsors; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

PHILLIPS  
FLY

The resolution was read and was adopted.

#### House Bill 984 on Second Reading

On motion of Senator Ratliff and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 984, A bill to be entitled "An Act making it unlawful except under the provisions of this Act for any person to hunt, take, kill or attempt to kill or possess, any game bird or game animal in Taylor County at any time; to take, kill or trap or attempt to take, kill or trap any fur-bearing animal in said county or take, or attempt to take any fish or other aquatic life or marine animals from said county by other means or method; providing the powers, duties and authority of the Game and Fish Commission; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

#### Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 984 to third reading.

#### House Bill 984 on Third Reading

Senator Ratliff moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that

H. B. No. 984 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Absent—Excused

Fly

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Absent—Excused

Fly

Weinert

#### Motion to Reconsider Vote by Which Senate Concurred in House Amendments to Senate Bill 420

Senator Baker moved that the vote by which the Senate concurred in

House amendments to S. B. No. 420 on Friday, May 8, 1959, be reconsidered.

The motion to reconsider the vote was lost by the following vote:

**Yeas—9**

Baker	Phillips
Bradshaw	Reagan
Colson	Rogers
Martin	Smith
Moffett	

**Nays—18**

Aikin	Krueger
Crump	Lane
Dies	Moore
Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Ratliff
Herring	Roberts
Hudson	Secrest
Kazen	Wood

**Present—Not Voting**

Fuller

**Absent**

Willis

**Absent—Excused**

Fly

Weinert

**Senate Resolution 560**

Senator Kazen offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Civics Class of Three Rivers Independent School District, accompanied by their teacher, A. Cobb; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

**KAZEN  
FLY**

The resolution was read and was adopted.

Senator Kazen by unanimous consent presented the students and their teacher to the Members of the Senate.

**Senate Resolution 561**

Senator Rogers offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate 18 members of the Senior Class of Hart Independent School District, accompanied by their sponsors, Mr. Bill H. Shelby and Mrs. Roselle Shelby; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

**ROGERS  
BRADSHAW**

The resolution was read and was adopted.

Senator Rogers by unanimous consent presented the students and their sponsors to the Members of the Senate.

**Report of Standing Committee**

Senator Aikin by unanimous consent submitted the following report:

**Austin, Texas,  
May 11, 1959.**

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 682, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

**AIKIN, Chairman.**



**Bills and Resolutions Signed**

The Presiding Officer announced the signing by the President in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 44, A bill to be entitled "An Act authorizing the State Building Commission to locate and purchase land in the City of Houston, Texas, on which to construct a State Office Building, etc., and declaring an emergency."

S. B. No. 63, A bill to be entitled "An Act providing for a certificate, signed by a practitioner of the healing arts, in lieu of requiring vaccination or inoculation for admission to public schools and state-supported institutions of higher learning; and providing exemption on religious objections; providing for personal liability and penalties; and declaring an emergency."

S. B. No. 115, A bill to be entitled "An Act relating to lump-sum settlement and payment of workmen's compensation claims; amending Section 15 of Article 8306, Revised Civil Statutes of Texas, 1925; providing a saving clause; repealing all laws in conflict; and declaring an emergency."

S. B. No. 140, A bill to be entitled "An Act relating to the permissible terms of sale of real estate under proceedings during administration and guardianship as provided for in the Probate Code; amending Subsection (a) of Section 348 of the Texas Probate Code; and declaring an emergency."

S. B. No. 148, A bill to be entitled "An Act relating to the rights, duties, and liabilities of issuers of securities, transfer agents, and other parties with respect to fiduciary security transfers; providing an effective date; repealing all laws in conflict; and declaring an emergency."

S. B. No. 152, A bill to be entitled "An Act relating to the advertising of the historical, natural, agricultural, industrial, educational, recreational, and other resources of Texas; providing for the creation of the Texas Development Board and prescribing the

powers and duties thereof; etc., and declaring an emergency.

S. B. No. 170, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts of the Second Called Session, 44th Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act by reducing in paragraph (a) of Section 3 of Article II of the Texas Liquor Control Act the burden imposed by graduated license fees when any one company operates more than one licensed manufacturing location; providing a saving clause; repealing laws in conflict herewith; and declaring an emergency."

S. B. No. 201, A bill to be entitled "An Act to amend the Act of 1951 by the 52nd Leg., p. 817, Ch. 463, being S. B. 165 and Art. 760d of Vernon's Code of Crim. Proc., by providing that bills of exception shall be delivered to the trial judge within eighty (80) days after giving notice of appeal and that such judge shall thereafter have until 90 days have elapsed after notice of appeal was given within which to consider and act on the same, and declaring an emergency."

S. B. No. 206, A bill to be entitled "An Act amending Article 4447a of Texas Civil Statutes which authorizes a coordinated health program; by authorizing the Commissioners Court of any county or counties and the municipal authorities of any city or cities to cooperate in the establishment of a coordinated health program and by mutual agreement to provide for the payment of all costs incident thereto; etc., and declaring an emergency."

S. B. No. 208, A bill to be entitled "An Act validating Hudspeth County Water Control and Improvement District Number One; etc., and declaring an emergency."

S. B. No. 249, A bill to be entitled "An Act establishing the Hunt County Juvenile Board; prescribing its membership and powers; providing for compensation of its members; providing for severability; and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act amending Sections 2, 3 and

7 of Article 21.07, Texas Insurance Code, to provide that agents licenses shall expire one year from the date of issue, and that an insurance company appointment of such agent will continue in effect until withdrawn and terminated by the company; etc., and declaring an emergency."

S. B. No. 268, A bill to be entitled "An Act defining the term dental technician and dental laboratory; providing that the State Board of Dental Examiners shall administer the provisions of this Act; providing for an Advisory Board; providing for names to be submitted to the Board; etc., and declaring an emergency."

S. B. No. 308, A bill to be entitled "An Act to amend Article 4357, Revised Civil Statutes of Texas, 1925, as amended, relating to the system and method of paying accounts in the Department of Comptroller of Public Accounts; etc., and declaring an emergency."

S. B. No. 319, A bill to be entitled "An Act amending paragraph (4) of Section 1, Article 3.50, Sub-chapter E of Senate Bill 236, Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951, as further amended by Senate Bill 369, Chapter 247, Acts of the 54th Legislature, Regular Session, 1955, pertaining to group life insurance to allow the insurance of the amount of indebtedness of a borrower or the face amount of a loan or loan commitment made to a debtor with seasonal income for general agricultural or horticultural purposes; providing for the payment of such insurance; and declaring an emergency."

S. B. No. 322, A bill to be entitled "An Act repealing Articles 684, 685, 686, and 687, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

S. B. No. 340, A bill to be entitled "An Act providing for the continuity of the functions of the government of the State and the governments of political subdivisions of the State in the event of attack upon the United States; providing for additional officers to act as Governor; providing the period in which authority may be exercised; making other provisions relating thereto; and declaring an emergency."

S. B. No. 348, A bill to be entitled

"An Act transferring the authority of the Cigarette Tax Stamp Board to the Comptroller; amending Section 3, Chapter 241, Acts of the 44th Legislature, 1935, as amended; amending Section 3A, Chapter 241, Acts of the 44th Legislature, 1935; and repealing Section 1, Chapter 67, Acts of the 45th Legislature, 2d C. S., 1937; and declaring an emergency."

S. B. No. 402, A bill to be entitled "An Act amending Chapter Two, Title 70 of the Revised Civil Statutes, 1925, as amended, by authorizing the Comptroller of Public Accounts to reorganize and consolidate the divisions of his office; etc., and declaring an emergency."

S. B. No. 403, A bill to be entitled "An Act transferring collection and administration of the state franchise tax levied by Chapter Three, Title 122, of the Revised Civil Statutes, 1925, as amended from the Secretary of State to the Comptroller of Public Accounts; etc., and declaring an emergency."

S. B. No. 409, A bill to be entitled "An Act authorizing the Legislature to appropriate public funds for the purpose of paying for drugs and medical, hospital, laboratory, and funeral expenses of State employees injured or killed while engaged in activities to which a high degree of hazard attaches by virtue of the performance of a necessary governmental function assigned to the employee, or where the duties of such employee require the employee to expose himself to unavoidable dangers peculiar to the performance of a necessary governmental function; etc., and declaring an emergency."

S. B. No. 420, A bill to be entitled "An Act enabling any city and town to enter into a contract or contracts for the acquisition of water supply systems, water distribution systems, sanitary sewer systems, either separately or together, from corporations operating without profit; etc., and declaring an emergency."

S. B. No. 422, A bill to be entitled "An Act amending an Act now codified and appearing as Article 1651, Vernon's Civil Statutes of the State of Texas, Annotated, by adding thereto a provision that the County Auditor appointed under the Provisions of

Title 34, Revised Civil Statutes of the State of Texas, with the consent and by order of the Commissioners Court, may destroy papers, cancelled checks, and vouchers, accounts and records in his control and custody provided said records shall have been on file ten (10) years from their original date, and providing for the manner of destruction, and declaring an emergency."

S. B. No. 425, A bill to be entitled "An Act authorizing the Commissioner of the General Land Office of the State of Texas to sell an estate upon special limitation in certain Public Free School Land situated in El Paso County to the County of El Paso; reserving all minerals together with the right to explore for same to the State; prescribing the limitation upon which such sale is to be made; providing for the issuance of a patent; and declaring an emergency."

S. B. No. 428, A bill to be entitled "An Act authorizing the State Board of Health to sell a certain tract of land owned by the State of Texas located in the County of Rusk; stating the purposes for which proceeds of the sale may be expended; and declaring an emergency."

S. B. No. 430, A bill to be entitled "An Act to provide that the Judge of the County Court at Law of Ector County shall be the County Juvenile Judge; providing that the County Court at Law of Ector County be the Juvenile Court of Ector County; providing for an additional salary to be paid said Judge for service as Juvenile Judge; repealing all laws in conflict; and declaring an emergency."

S. B. No. 433, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in San Augustine County; etc.; and declaring an emergency."

S. B. No. 434, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59, of the Texas Constitution comprising the territory contained within the City of Bonham in Fannin County, Texas, for the purpose of providing a source of water supply for municipal, domestic, mining and industrial use and treating and transporting the same; etc.; and declaring an emergency."

S. B. No. 438, A bill to be entitled "An Act amending Senate Bill 32, Acts of the 55th Legislature, State of Texas, Regular Session, 1957; so as to change sub-section (e) of Section 9 of such Act and providing that eggs shall not be labeled as 'fresh' which have been held under refrigeration for a period of sixty (60) days or more; and declaring an emergency."

S. B. No. 445, A bill to be entitled "An Act to fix the maximum salary and provide other compensation for the Official Shorthand Reporters of the Judicial District Courts, Civil or Criminal, and the Official Shorthand Reporter of the County Court at Law, of Jefferson County; and declaring an emergency."

S. B. No. 448, A bill to be entitled "An Act relating to the validation of the incorporation, boundaries, and governmental proceedings of certain cities and towns of five thousand (5,000) inhabitants or less; etc.; and declaring an emergency."

S. B. No. 451, A bill to be entitled "An Act amending Section 13 of Chapter 139, Acts of the 50th Legislature, Regular Session, 1947, relating to the compensation which may be paid to employees of the Battleship Texas Commission; and declaring an emergency."

S. B. No. 452, A bill to be entitled "An Act amending subsection (1) of Section 6 of Article III of Chapter 495, Acts of the Forty-fourth Legislature, Third Called Session, 1936, as such Act was amended and renumbered by Section 1 of Chapter 34, Acts of the Fifty-fifth Legislature, Regular Session, 1957, so as to exempt veterans' organizations from payment of the admission tax under certain conditions; and declaring an emergency."

S. B. No. 453, A bill to be entitled "An Act amending Subsection 2(b) of Section 6 of Article 1, Acts of the 54th Legislature, Regular Session, 1955, Chapter 530, Page 1638 (same being codified as Subsection 2(b) of Section 6 of Article 2922-1 of Vernon's Texas Civil Statutes) pertaining to the retirement of members of the Teacher Retirement System on disability who are eligible for service retirement; and declaring an emergency."

S. B. No. 454, A bill to be entitled "An Act validating, confirming, ratifying and approving the creation and organization of all water control and improvement districts heretofore created by the Commissioners Court of Travis County; etc.; and declaring an emergency."

S. B. No. 460, A bill to be entitled "An Act conferring upon Donley County Water Control and Improvement District No. 1 the power to make a sale and conveyance of its properties; enacting other provisions related to the subject; and declaring an emergency."

S. B. No. 461, A bill to be entitled "An Act creating two Courts of Domestic Relations for Harris County, Texas; fixing their jurisdiction; etc.; and declaring an emergency."

S. B. No. 468, A bill to be entitled "An Act to validate the establishment, organization, and/or creation of all school districts; validating the acts; etc.; and declaring an emergency."

S. B. No. 473, A bill to be entitled "An Act amending Section 1 of the Insurance Code; repealing all laws and parts of laws in conflict with this Act; repealing certain specific laws to the extent that they conflict with this Act; and declaring an emergency."

S. B. No. 483, A bill to be entitled "An Act to amend Chapter 430, Acts of the 55th Regular Session (Vernon's Annotated Civil Statutes (Article 1109i) so as to redefine eligibility of cities and towns to contract with Trinity River Authority of Texas for certain sanitary sewage transportation, treatment and disposal services; etc.; and declaring an emergency."

S. C. R. No. 72, Designating Public Schools Week February 24-March 5, 1960.

S. C. R. No. 75, Granting permission to the District Judges to leave the State.

S. J. R. No. 6, Proposing an amendment to Section 49-b, Article III of the Constitution of Texas increasing to Three and One-Half Per Cent (3½%) the maximum permissible interest rate on bonds hereafter issued by the Veterans' Land Board; providing for an election and the issuance of a proclamation therefor.

#### House Bill 682 Ordered Not Printed

On motion of Senator Bradshaw and by unanimous consent H. B. No. 682 was ordered not printed.

#### Bills Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the captions had been read, the following enrolled bills:

H. B. No. 928, A bill to be entitled "An Act to amend Section 2 of H. B. No. 470, Ch. 155, of the Special Laws of the Acts of the 39th Legislature of the State of Texas, Regular Session, 1925, providing for the election of the Board of Trustees of the Reagan County Independent School District in Reagan County, Texas; etc.; and declaring an emergency."

H. B. No. 735, A bill to be entitled "An Act authorizing expenditures from pre-existing appropriations for furnishing and equipping the Supreme Court Building and for moving specified courts and judicial units thereto during the summer recess of such courts, by amending Chapter 385, Acts, 1957, 55th Legislature, Regular Session; prescribing the manner and purposes of such expenditures; and declaring an emergency."

H. B. No. 354, A bill to be entitled "An Act creating the Texas Commission on State and Local Tax Policy; providing for the appointment of members of said Commission; etc.; and declaring an emergency."

H. B. No. 518, A bill to be entitled "An Act amending Section 6, Chapter 7, Acts of the 52nd Legislature, Regular Session, as amended (compiled as Article 199, No. 132, of Vernon's Texas Civil Statutes) to provide that the temporary 132nd Judicial District, composed of Scurry and Borden Counties, shall be made a permanent Judicial District; and declaring an emergency."

H. B. No. 278, A bill to be entitled "An Act creating the office of District Attorney for the 43rd Judicial District of Texas, and providing for his selection, compensation and duties; fixing an effective date; and declaring an emergency."

**House Bills on First Reading**

The following bills received from the House, were read the first time and referred to the Committees indicated:

H. B. No. 969, To the Committee on Education.

H. B. No. 819, To the Committee on Counties, Cities and Towns.

**Senate Bill 237 with House Amendments**

Senator Hazlewood called S. B. No. 237 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

**Absent—Excused**

Fly Weinert

**House Bill 985 Ordered Not Printed**

On motion of Senator Hudson and by unanimous consent H. B. No. 985 was ordered not printed.

**Senate Concurrent Resolution 79**

Senator Gonzalez offered the following resolution:

S. C. R. No. 79, Suspending Joint

Rules to consider S. B. No. 238 at any time.

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that joint rules of both Houses be suspended and that they are hereby suspended to allow the House and the Senate to take up S. B. No. 238 at any time.

The resolution was read.

Senator Gonzalez asked unanimous consent to consider the resolution immediately.

There was objection.

The resolution was then referred to the Committee on Rules.

**Conference Committee on House Bill 101**

Senator Moffett called from the President's table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 101 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the Presiding Officer announced the appointment of the following Conferees on the part of the Senate on the bill:

Senators Moffett, Bradshaw, Aikin, Dies and Secrest.

**Executive Session**

On motion of Senator Reagan and by unanimous consent, the Senate agreed to hold an Executive Session at 11:55 o'clock a.m. today.

Accordingly, the Presiding Officer directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Judge of the Juvenile Court of Dallas County; Lewis F. Russell of Dallas, Dallas County.

**In Legislative Session**

The Presiding Officer (Senator Hardeman in the Chair) called the Senate to order as in Legislative Session at 12:12 o'clock p.m.

**Report of Standing Committee**

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,  
May 11, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 819, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 11, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 32, An Act relating to the enrichment of corn meal and corn grits by the addition of certain vitamins and minerals thereto; defining certain words and terms used in this Act; etc.; and declaring an emergency."

(With amendments.)

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Recess**

On motion of Senator Martin the Senate at 12:15 o'clock p.m. took recess until 2:30 o'clock p.m. today.

**After Recess**

The Presiding Officer (Senator Hardeman in the Chair) called the Senate to order at 2:30 o'clock p.m.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 11, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 389, A bill to be entitled "An Act validating, ratifying, confirming and approving contracts, scrip warrants and time warrants and refunding bonds authorized by counties or cities (including home-rule cities) or towns since the approval by the Governor of Texas of Chapter 164, Acts of the 52nd Legislature, Regular Session, 1951; validating, ratifying, confirming and approving time warrants and refunding bonds issued for the purpose of refunding time warrants and all proceedings, governmental Acts, orders, ordinances, resolutions and other instruments relating to the issuance of time warrants and refunding bonds for such purposes, of counties, cities (including home-rule cities) and towns; providing that this Act shall not apply to any contract, scrip warrant or time warrant or to any refunding bond proceedings, governmental Acts, orders, resolutions or other instruments, or bonds executed or issued by any county with a population in excess of three hundred and fifty thousand (350,000) according to the last preceding federal census, or any contract, scrip warrants or time warrants or any refunding bonds proceedings, governmental Acts, orders, ordinances, resolutions or other instruments, or bonds the validity of which is now involved in litigation; providing a saving clause; and declaring an emergency."

S. B. No. 387, A bill to be entitled "An Act amending Sections 1 and 2, Chapter 186, Acts of the 44th Legislature, Regular Session, 1935, which is codified as Article 1370a in Vernon's Texas Penal Code, prohibiting the running at large of livestock on designated highways; providing immunity from liability for injuring unattended animals on designated highways, except for gross negligence or willful intent; providing certain exceptions; authorizing impoundment of unattended animals on designated highways and providing for their disposition; stating the effect of this Act on other laws; providing for severability; and declaring an emergency."

(With amendment.)

S. B. No. 221, A bill to be entitled "An Act to amend Article 1341 of the Penal Code; so as to make the driv-

ing of vehicle on a public road without the consent of the owner a felony; providing penalties for violations; providing for severability; providing a saving clause; and declaring an emergency."

(With amendment.)

S. B. No. 378, A bill to be entitled "An Act amending portions of the Veterinary Licensing Act (Chapter 342, Acts of the 53rd Legislature, 1953, codified as Article 7465a of Vernon's Texas Civil Statutes); amending Section 8 to redefine the authority of the State Board of Veterinary Medical Examiners to adopt rules of professional conduct for the profession of veterinary medicine, and the procedure therefor; amending Section 14 to provide additional grounds for revocation or suspension of licenses and for refusal to examine applicants or to issue or renew licenses; amending Subsection b of Section 16, as amended, to permit either party to demand a jury in appeals from Board orders suspending, revoking or refusing to renew licenses; and declaring an emergency."

(With amendment.)

S. C. R. No. 31, Authorizing the leasing of certain lands in Travis County, Texas, etc.

S. B. No. 47, A bill to be entitled "An Act amending Article 602, Penal Code of Texas, 1925, and adding a new Article to be numbered Article 602-A, so as to define what shall constitute willfully deserting, neglecting or refusing to provide for the support and maintenance of a wife in necessitous circumstances and to define what shall constitute willfully deserting, neglecting or refusing to provide for the support and maintenance of one's child or children under sixteen years of age; fixing a penalty; providing that a second conviction for a like offense and conviction for deserting and leaving the state shall be a felony; providing for severance of any part of this Act held invalid; and declaring an emergency."

(With amendment.)

The House has concurred in Senate amendments to House Bill No. 734 by non-record vote.

Respectfully submitted

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

# Senate Bill 47 with House Amendments

Senator Krueger called S. B. No. 47 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Krueger moved that the Senate concur in the House amendments.

The motion prevailed.

## House Bill 819 Ordered Not Printed

On motion of Senator Hudson and by unanimous consent H. B. No. 819 was ordered not printed.

## House Concurrent Resolution on First Reading

The following concurrent resolution received from the House, was read the first time and referred to the Committee indicated:

H. C. R. No. 107, To the Committee on State Affairs.

## Motion to Place

### House Bill 860 on Second Reading

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up H. B. No. 860 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and take up H. B. No. 860 for consideration at this time.

The motion was lost by the following vote:

### Yeas—6

Gonzalez	Krueger
Hudson	Owen
Kazen	Parkhouse

### Nays—20

Aikin	Dies
Baker	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Crump	Lane

Martin	Reagan
Moffett	Roberts
Moore	Rogers
Phillips	Secrest
Ratliff	Smith

Absent

Fuller	Wood
Willis	

Absent—Excused

Fly	Weinert
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**House Bill 51 on Second Reading**

Senator Kazen asked unanimous consent to suspend the regular order of business and take up H. B. No. 51 for consideration at this time.

There was objection.

Senator Kazen then moved to suspend the regular order of business and take up H. B. No. 51 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	

Nays—2

Lane	Martin
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Absent

Fuller	Wood
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Absent—Excused

Fly	Weinert
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The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 51, A bill to be entitled "An Act authorizing a pre-school instructional program for non-English speaking children, providing for instructional units, providing for fi-

nancing, requiring Central Education Agency to develop program and establish certification standards for teachers in such program, providing a severability or savings clause and declaring an emergency."

The bill was read second time.

Senator Kazen offered the following amendment to the bill:

Amend H. B. 51, Sec. 2, line 34 of the printed bill by striking out the words and figure "four (4) months" and substituting in lieu thereof the words and figure "three (3) months."

The amendment was adopted.

On motion of Senator Kazen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

**House Bill 51 on Third Reading**

Senator Kazen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Wood

Nays—1

Lane
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Absent

Fuller	Willis
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Absent—Excused

Fly	Weinert
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The Presiding Officer then laid the



bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—26**

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Wood

**Nays—1**

Lane

**Absent**

Fuller Willis

**Absent—Excused**

Fly Weinert

**Senate Resolution 562**

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Seventh Day Adventist Intermediate School, 8th grade, San Antonio, Bexar County, accompanied by their teachers and sponsors, Mr. N. H. Crews and Mr. R. C. Pueschel; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage, must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Gonzalez by unanimous con-

sent presented the students, teachers and sponsors to the Members of the Senate.

**Senate Resolution 563**

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 8th Grade Class of the Caldwell Junior High of Burleson County, accompanied by their teachers, Mrs. Gladys Clark and Mr. Jim Foreman; and

Whereas, These students of today are the citizens, leaders, and statesmen of tomorrow, who, with the acceptance of democracy's heritage must carry on the responsibilities of self-government; and

Whereas, It is highly commendable that these young people are demonstrating, by their visit in the Senate, an interest in the processes of their state government; now, therefore, be it

Resolved, That we extend to these students a cordial welcome; and that a copy of this Resolution, bearing the official seal of the Senate, be sent to them in appreciation of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and their teachers to the Members of the Senate.

**Senate Resolution 564**

Senator Smith offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Former State Senator Kilmer Corbin; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; Now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and given the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Smith by unanimous consent presented former Senator Corbin to the Members of the Senate.

**House Bill 488 on Second Reading**

On motion of Senator Secrest and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 488, An Act amending Sections 3, 8, 9, 11, 12, 14, 16, and 17 of Article 4542a of the Revised Civil Statutes of Texas, 1925, as amended, relating to the regulation and practice of pharmacy; prescribing compensation of the State Board of Pharmacy; providing for distribution of drugs or medicines except in original packages; prescribing the subject matter of examinations to be given by the State Board of Pharmacy and the fee to be charged therefor; etc.; and declaring an emergency.

The bill was read second time.

Senator Secrest offered the following Committee Amendment to the bill:

Amend H. B. No. 488, Section 1, by striking out the amending clause of Section 1 and substituting in lieu thereof the following:

"Section 1. Section 3 of Chapter 107, Acts of 41st Leg., Regular Session, 1929, as amended Acts 1935, 44th Leg., p. 251, ch. 98, sec. 1; Acts 1943, 48th Leg., p. 710, ch. 395, sec. 2 is hereby amended so as to hereafter read as follows:"

The Committee Amendment was adopted.

Senator Secrest offered the following Committee Amendment to the bill:

Amend H. B. No. 488, Section 9a, by striking out in its entirety all of Section 9a.

The Committee Amendment was adopted.

Senator Secrest offered the following Committee Amendment to the bill:

Amend H. B. No. 488, Section 6, by striking out the amending clause of Section 6 and substituting in lieu thereof the following:

"Section 6. Section 14 of Chapter 107, Acts of 41st Leg., Regular Ses-

sion, 1929, as amended Acts 1935, 44th Leg., p. 251, ch. 98, sec. 2; Acts 1943, 48th Leg., p. 710, ch. 395, sec. 11; Acts 1951, 52nd Leg., p. 824, ch. 469, sec. 4, is hereby amended so as to hereafter read as follows:"

The Committee Amendment was adopted.

Senator Secrest offered the following amendment to the bill:

Amend H. B. No. 488, Section 2, by striking out the amending clause of Section 2 and substituting in lieu thereof the following:

"Section 2. Section 8 of Chapter 107, Acts of 41st Leg., Regular Session, 1929, as amended Acts 1943, 48th Leg., p. 710, ch. 395, sec. 6; Acts 1951, 52nd Leg., p. 824, ch. 469, sec. 2; Acts 1953, 53rd Leg., p. 916, ch. 378, sec. 1, is hereby amended so as to hereafter read as follows:"

The amendment was adopted.

Senator Secrest offered the following amendment to the bill:

Amend H. B. No. 488, Section 3, by striking out the amending clause of Section 3 and substituting in lieu thereof the following:

"Section 3. Section 9 of Chapter 107, Acts of 41st Leg., Regular Session, 1929, as amended Acts 1943, 48th Leg., p. 710, ch. 395, sec. 7; Acts 1951, 52nd Leg., p. 824, ch. 469, sec. 3, is hereby amended so as to hereafter read as follows:"

The amendment was adopted.

Senator Secrest offered the following amendment to the bill:

Amend H. B. No. 488, Section 4, by striking out the amending clause of Section 4 and substituting in lieu thereof the following:

"Section 4. Section 11 of Chapter 107, Acts of 41st Leg., Regular Session, 1929, as amended Acts 1943, 48th Leg., p. 710, ch. 395, sec. 8, is hereby amended so as to hereafter read as follows:"

The amendment was adopted.

Senator Secrest offered the following amendment to the bill:

Amend H. B. No. 488, Section 5, by striking out the amending clause of Section 5 and substituting in lieu thereof the following:

"Section 5. Section 12 of Chapter 107, Acts of 41st Leg., Regular Ses-

sion, 1929, as amended Acts 1943, 48th Leg., p. 710, ch. 395, sec. 9; Acts 1957, 55th Leg., p. 1324, ch. 477, sec. 2, is hereby amended so as to hereafter read as follows:"

The amendment was adopted.

Senator Secrest offered the following amendment to the bill:

Amend H. B. No. 488, Section 7, by striking out the amending clause of Section 7 and substituting in lieu thereof the following:

"Section 7. Section 16 of Chapter 107, Acts of 41st Leg., Regular Session, 1929, as amended Acts 1935, 44th Leg., p. 251, ch. 98, sec. 3; Acts 1943, 48th Leg., p. 710, ch. 395, sec. 13, is hereby amended so as to hereafter read as follows:"

The amendment was adopted.

Senator Secrest offered the following amendment to the bill:

Amend H. B. No. 488, Section 8, by striking out the amending clause of Section 8 and substituting in lieu thereof the following:

"Section 8. Section 17 of Chapter 107, Acts of 41st Leg., Regular Session, 1929, as amended Acts 1935, 44th Leg., p. 251, ch. 98, sec. 4; Acts 1943, 48th Leg., p. 710, ch. 395, sec. 14; Acts 1951, 52nd Leg., p. 824, ch. 469, sec. 5; Acts 1957, 55th Leg., p. 1324, ch. 447, sec. 2, is hereby amended so as to hereafter read as follows."

The amendment was adopted.

Senator Secrest offered the following amendment to the bill:

Amend H. B. No. 488 by striking out all above the enacting clause and substituting in lieu thereof the following:

"An Act amending Sections 3, 8, 9, 11, 12, 14, 16, and 17 of Chapter 107, 41st Legislature, Acts of 1929, as amended, codified as Article 4542a, Vernon's Civil Statutes, relating to the regulation and practice of pharmacy; prescribing compensation of the State Board of Pharmacy; providing for distribution of drugs or medicines except in original packages; prescribing the subject matter of examinations to be given by the State Board of Pharmacy and the fee to be charged therefor; prescribing the fee for license granted by reciprocity; relating to affidavits required by the State Board of Pharmacy; providing for the cancellation,

revocation, or suspension of licenses under certain conditions; providing for annual renewal fees; deleting certain provisions relating to pharmacists engaged in federal or military service; providing for duplication of licenses or annual renewal certificates; providing that certain misleading displays are unlawful; providing for the issuance and revocation of store and factory permits; providing for severability; providing penalties; and declaring an emergency."

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend H. B. No. 488, page 3, line 9, Senate copy, by striking out the clause which reads "and shall have practical experience in a retail pharmacy subject to the regulations of the State Board of Pharmacy.", and substituting in lieu thereof the following:

"and shall have had at least one thousand (1,000) hours of practical experience in a retail pharmacy under the direct supervision of a registered pharmacist as follows: The applicant shall have been actually employed substantially all of one year in such capacity, provided that part-time employment of not more than forty (40) hours per week gained in a maximum of eight-hour days may be credited toward the minimum practical experience to fulfill this requirement. If the applicant does not actually work substantially all of one year in any calendar year period, the time actually worked may be added to work he may perform during the following year or years in order to fulfill one thousand (1,000) hours of practical experience."

The amendment was adopted.

On motion of Senator Secrest and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 488 on Third Reading

Senator Secrest moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 488 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Willis
Lane	Wood

Absent

Baker	Smith
Fuller	

Absent—Excused

Fly	Weinert
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Willis
Krueger	Wood
Lane	

Absent

Baker	Smith
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Absent—Excused

Fly	Weinert
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#### House Bill 152 on Second Reading

Senator Moffett asked unanimous consent to suspend the regular order of business and take up H. B. No. 152 for consideration at this time.

There was objection.

Senator Moffett then moved to suspend the regular order of business and take up H. B. No. 152 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Krueger	Smith
Moffett	Willis

Nays—6

Dies	Lane
Hardeman	Martin
Hudson	Moore

Present—Not Voting

Wood

Absent

Baker	Kazen
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Absent—Excused

Fly	Weinert
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The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 152, A bill to be entitled "An Act amending Section 6 of Article 3883i, Revised Civil Statutes of Texas, 1925; Acts 1955, 55th Legislature, page 1137, Chapter 427, Section 6, by adding thereto the office of Veterans County Service Officer, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 152 on Third Reading

Senator Moffett moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 152 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Bradshaw
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Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Willis
Moffett	Wood

**Nays—4**

Hardeman	Martin
Hudson	Moore

**Absent**

Baker

**Absent—Excused**

Fly                      Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

**Record of Vote**

Senator Hardeman asked to be recorded as voting "Nay" on the final passage of H. B. No. 152.

**House Bill 53 Re-referred to Committee of the Whole**

Senator Gonzalez submitted the following motion in writing:

Pursuant to the provisions of Senate Rules 84 and 85, I move that House Bill 53 be referred from the Committee on State Affairs to the Committee of the Whole.

The motion was read.

Question on adoption of the motion, yeas and nays were demanded.

The motion prevailed by the following vote:

**Yeas—14**

Aikin	Martin
Colson	Moffett
Fuller	Owen
Gonzalez	Roberts
Herring	Rogers
Kazen	Secrest
Krueger	Willis

**Nays—13**

Bradshaw	Crump
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Dies	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Hudson	Smith
Lane	Wood
Parkhouse	

**Absent**

Baker                      Moore

**Absent—Excused**

Fly                      Weinert

**House Bill 11 on Second Reading**

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up H. B. No. 11 for consideration at this time.

There was objection.

Senator Parkhouse then moved to suspend the regular order of business and take up H. B. No. 11 for consideration at this time.

The motion prevailed by the following vote:

**Yeas—29**

Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

**Nays—1**

Aikin

**Absent—Excused**

Weinert

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 11, A bill to be entitled "An Act promoting safety by regulating vessels, water skiing, and aquaplaning upon the waters of this State; conferring powers and imposing duties on the Game and Fish

Commission, prescribing penalties; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following Committee Amendment to the bill:

Amend Sec. 2(7) by striking out all words after the word "means" and substituting therefor the name "State Highway Department."

The Committee Amendment was read.

Question on adoption of the amendment, yeas and nays were demanded.

The Committee Amendment was adopted by the following vote:

**Yeas—16**

Baker	Phillips
Crump	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Krueger	Secrest
Lane	Smith
Moffett	Willis
Moore	Wood

**Nays—14**

Aikin	Herring
Bradshaw	Hudson
Colson	Kazen
Dies	Martin
Fly	Owen
Fuller	Parkhouse
Hazlewood	Ratliff

**Absent—Excused**

Weinert

Senator Moore offered the following Committee Amendment to the bill:

Amend Sec. 16 by striking out the words "General Revenue Fund" after the phrase "to remit same to deposit of" and substitute therefor the words "Special Boat Fund."

The Committee Amendment was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Sec. 17(c) amend by striking out all words and substituting therefor: "All fees shall be collected by the department or through its duly authorized agents and deposited in the State Treasury to the credit of the Special Boat Fund."

The Committee Amendment was adopted.

Senator Moore offered the following Committee Amendment to the bill:

Amend Sec. 19 by striking all words and substituting therefor the following: "The State Highway Department is hereby authorized and directed to use any local funds on hand or available to said Department for issuing, recording and keeping all such records as are necessary to effectuate the purpose of this Act and all funds available or that accrue from boat registration fees above the administrative costs of said registrations are to be used for the purpose of purchasing access ways to public waters, boat ramps and for the maintenance thereof."

The Committee Amendment was adopted.

(President in the Chair.)

Senator Martin offered the following amendment to the bill:

Amend Engrossed Rider to H. B. 11 (Senate printed copy), by changing the period on line 18, page 7 to a comma, and adding the following:

"to be deposited as other fees in the proper county fund."

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend Engrossed Rider to H. B. No. 11 (printed Senate copy), by changing the period on line 38, page 6, to a comma and adding the following words:

"provided, however, that such person shall not be taken into custody unless he first refuse to sign a promise to appear in court within 30 days as provided below."

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend Engrossed Rider to H. B. 11 (Senate printed copy) by changing the figures \$5.00, line 22, page 7, to the figures \$1.00.

The amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend Engrossed Rider to H. B. No. 11 by striking out Subsection (b) of Sec. 9 and renumbering the subsections.

The amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend Engrossed Rider to H. B. 11, Subsection (a) of Sec. 15, by striking out the words "and wardens of the State Game and Fish Commission."

The amendment was adopted.

#### Record of Vote

Senator Krueger asked to be recorded as voting "Nay" on the adoption of the above amendment.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to third reading.

#### Record of Vote

Senator Krueger asked to be recorded as voting "Nay" on the passage of H. B. No. 11 to third reading.

#### House Bill 11 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 11 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

#### Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Vote

Senator Aikin asked to be recorded as voting "Nay" on the final passage of H. B. No. 11.

#### House Joint Resolution 3 on Second Reading

Senator Wood asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 3 for consideration at this time.

There was objection.

Senator Wood then moved to suspend the regular order of business and take up H. J. R. No. 3 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—24

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Crump	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Willis
Kazen	Wood

#### Nays—6

Colson	Lane
Dies	Moffett
Krueger	Parkhouse

#### Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to third reading:

H. J. R. No. 3, Proposing an amendment to Section 24 of Article III of the Constitution of the State of Texas allowing an annual salary of not to exceed Four Thousand, Eight Hundred Dollars (\$4,800) per year and a per diem allowance of not to exceed Twelve Dollars (\$12) per day for the first one hundred and twenty (120) days only of each Regular Session

and for thirty (30) days of each Special Session of the Legislature as the maximum compensation for Members of the Legislature.

The resolution was read the second time.

Senator Owen offered the following amendment to the resolution:

Amend H. J. R. No. 3, Sec. 1 by adding after the word "Legislature" at the end of the first paragraph of "Section 24" the following:

"No regular session shall be of longer duration than one hundred forty (140) days."

HARDEMAN  
OWEN

The amendment was adopted.

Senator Owen offered the following amendment to the resolution:

Amend H. J. R. No. 3, Sec. 2 by striking out the period and quotation mark after the word "Legislature" at the end of the 2nd and 3rd paragraphs and adding at the end of each of such paragraphs the following:

"and limiting the regular session to one hundred forty days."

HARDEMAN  
OWEN

The amendment was adopted.

On motion of Senator Wood and by unanimous consent the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was passed to third reading.

#### Record of Votes

Senators Dies and Lane asked to be recorded as voting "Nay" on the passage of H. J. R. No. 3 to third reading.

#### House Joint Resolution 3 on Third Reading

Senator Wood moved that Senate Rules 32 and 45 and the Constitutional Rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin Baker

Bradshaw	Moore
Crump	Owen
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Lane	Wood
Martin	

Nays—5

Colson	Moffett
Dies	Parkhouse
Krueger	

Absent—Excused

Weinert

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and passed by the following vote:

Yeas—22

Aikin	Martin
Baker	Moore
Bradshaw	Owen
Crump	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Willis
Kazen	Wood

Nays—7

Colson	Moffett
Dies	Parkhouse
Krueger	Smith
Lane	

Absent

Hazlewood

Absent—Excused

Weinert

#### Senate Bill 53 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up S. B. No. 53 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business



and take up S. B. No. 53 for consideration at this time.

The motion prevailed by the following vote:

## Yeas—24

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Moffett	Wood

## Nays—4

Colson	Hardeman
Crump	Martin

## Absent

Hazlewood	Lane
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## Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 53, A bill to be entitled "An Act providing for payment of pensions to Former Texas Rangers and their widows under certain conditions, pursuant to Article XVI, Section 66 of the Constitution of Texas; providing conditions of eligibility and procedure for payment; making an appropriation of such payments; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following Committee Amendment to the bill:

Amend Senate Bill 53 by adding to Section 1 (a) a new paragraph, to be known as paragraph (4), which shall read as follows:

"(4) He has reached the age of sixty (60) years."

The Committee Amendment was adopted.

Senator Herring offered the following Committee Amendment to the bill:

Amend Section 2 of Senate Bill 53 by striking out the second sentence and inserting in lieu thereof the following: "Persons entitled to pensions under this Act shall make application to the Comptroller of Public Accounts. Said application shall recite facts showing that the applicant meets the qualifications set out in Section 1(a) or 1(b) of this Act depending upon the status of the applicant, shall be accompanied by a certificate executed by the custodian of the service record of the applicant, or of the applicant's deceased husband as the case may be, showing the applicant's qualifications under paragraphs (1) and (3) of Subsection (a) of Section 1 of this Act, and shall be sworn to by the applicant."

The Committee Amendment was adopted.

Senator Herring offered the following Committee Amendment to the bill:

Amend Senate Bill 53 by striking out the words "a period" in the second line of Section 1 (a), paragraph (1) and insert in lieu thereof the words "an aggregate time."

The Committee Amendment was adopted.

Senator Herring offered the following amendment to the bill:

Amend S. B. No. 53 by striking out paragraph (1) of subsection (b) of Section 1 thereof and substituting in lieu thereof the following:

"(1) The widow was legally married to a Texas Ranger or former Texas Ranger prior to January 1, 1957, and at the time of his death."

The amendment was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Senate Bill 53 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Willis
Martin	Wood

## Nays—3

Colson	Hardeman
Crump	

## Absent

Hazlewood

## Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—24

Aikin	Moore
Baker	Owen
Bradshaw	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Moffett	Wood

## Nays—5

Colson	Lane
Crump	Martin
Hardeman	

## Absent

Hazlewood

## Absent—Excused

Weinert

## House Bill 985 on Second Reading

On motion of Senator Hudson and

by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 985, A bill to be entitled "An Act to be known as 'The Hidalgo County Hospital District Law of 1959'; providing for a method of establishing and administering a county wide hospital district; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

## House Bill 985 on Third Reading

Senator Hudson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 985 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—27

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hudson	Secrest
Kazen	Willis
Krueger	Wood
Lane	

## Absent

Hazlewood	Smith
Herring	

## Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## House Bill 927 on Second Reading

On motion of Senator Bradshaw and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 927, A bill to be entitled "An Act authorizing the Comptroller, State Treasurer, and the State Board of Insurance to transfer certain funds from the Travel Expense Appropriation for the State Board of Insurance to Other Operating Expense Appropriations; and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 927 on Third Reading**

Senator Bradshaw moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 927 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

Absent

Fuller	Moore
Hazlewood	

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Martin
Fly	Moffett
Gonzalez	Owen
Hardeman	Parkhouse

Phillips	Secrest
Ratliff	Smith
Reagan	Willis
Roberts	Wood
Rogers	

Absent

Fuller	Moore
Hazlewood	

Absent—Excused

Weinert

**Bill and Resolutions**

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolutions:

H. B. No. 158, A bill to be entitled "An Act amending Sections 181, 186, as amended, 190, 192, 195, 202, 205, 212, as amended, 213, 214, 216, 222, 223, 224, and 235 of the Election Code of the State of Texas and compiled in Vernon's Revised Civil Statutes of Texas as Election Code Articles 13.03, 13.08, 13.12, 13.14, 13.17, 13.24, 13.27, 13.34, 13.35, 13.36, 13.38, 13.45, 13.46, 13.47 and 13.58, respectively, and Section 2 of Chapter 44, Acts of the 52nd Legislature, 1951, compiled as Article 3158(a) of Vernon's Revised Civil Statutes, so as to provide for the holding of the first and second primary elections on the first Tuesday in May, and the fourth Tuesday in May, 1960, respectively, and every two years thereafter; etc.; and declaring an emergency."

H. C. R. No. 128, Suspending Joint Rules to consider H. B. No. 837 at any time.

H. C. R. No. 70, Providing for appointment of committee to study tax collecting functions of the state government.

**Conference Committee on Senate Bill 61 Discharged**

On motion of Senator Willis and by unanimous consent the Conference Committee appointed on the part of the Senate on S. B. No. 61 was discharged.

**House Bill 710 on Second Reading**

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on

its second reading and passage to third reading:

H. B. No. 710, A bill to be entitled "An Act amending Sections 1, 2, and 3 of H. B. No. 352, Chapter 436, Page 893, Acts of the 45th Legislature, Regular Session, 1937, as amended, (Codified as Article 5221c of Vernon's Revised Texas Statutes) relating to the inspection of boilers; changing the definitions of the term 'boiler'; revising the list of boilers exempt from the provisions of the Act; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 710 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 710 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood

#### Absent

Hazlewood          Moore

#### Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—28

Aikin	Crump
Baker	Dies
Bradshaw	Fly
Colson	Fuller

Gonzalez	Parkhouse
Hardeman	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Willis
Owen	Wood

#### Absent

Hazlewood          Moore

#### Absent—Excused

Weinert

#### House Concurrent Resolution on First Reading

The following House Concurrent Resolution received from the House was read the first time and referred to the committee indicated:

H. C. R. No. 98, To the Committee on Jurisprudence.

#### Conference Committee on Senate Bill 61

The President announced the appointment of the following as a Conference Committee on the part of the Senate on S. B. No. 61: Senators Willis, Lane, Hardeman, Moore and Dies.

#### House Bill 819 on Second Reading

Senator Hudson asked unanimous consent to suspend the regular order of business and take up H. B. No. 819 for consideration at this time.

There was objection.

Senator Hudson then moved to suspend the regular order of business and take up H. B. No. 819 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—23

Aikin	Martin
Baker	Moffett
Crump	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Reagan
Hudson	Roberts
Krueger	Rogers
Lane	Secrest

Smith Wood  
Willis

## Nays—4

Bradshaw Dies  
Colson Ratliff

## Absent

Hazlewood Kazen  
Herring

## Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 819, Amending statutes to allow certain cities to regulate certain properties to promote the health, safety and welfare of the inhabitants, etc., and declaring an emergency.

The bill was read second time and was passed to third reading.

## House Bill 819 on Third Reading

Senator Hudson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 819 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—25

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Wood
Lane	

## Nays—2

Colson Ratliff

## Absent

Hazlewood Willis  
Herring

## Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Record of Vote

Senator Ratliff asked to be recorded as voting "Nay" on the final passage of H. B. No. 819.

## Report of Standing Committee

Senator Lane by unanimous consent submitted the following report:

Austin, Texas,

May 11, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 98, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

## Senate Resolution 565

Senator Owen offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Samuel Ygnatz Phillips of Odessa and Marvin Boyd; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, that their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

OWEN  
FLY

The resolution was read and was adopted.

Senator Owen by unanimous consent presented the distinguished guests to the Members of the Senate.

## House Bill 977 on Second Reading

On motion of Senator Colson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 977, A bill to be entitled "An Act making it unlawful except under the provisions of this Act for any person to hunt, take, kill or attempt to kill or possess, any game bird or game animal in Liberty County at any time; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

#### Record of Votes

Senators Martin and Hardeman asked to be recorded as voting "Nay" on the passage of House Bill 977 to third reading.

#### House Bill 977 on Third Reading

Senator Colson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 977 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Willis
Krueger	Wood
Lane	

#### Nays—1

Hardeman

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—28

Aikin	Bradshaw
Baker	Colson

Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Willis
Moffett	Wood

#### Nays—2

Hardeman                      Martin

Absent—Excused

Weinert

#### House Bill 364 on Second Reading

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 364, A bill to be entitled "On Act amending Section 83, the Texas Mental Health Code, Acts Fifty-fifth Legislature, 1957, Chapter 243, page 505; providing for judicial restoration of persons previously adjudged mentally incompetent; providing a severability clause and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 364 on Third Reading

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 364 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Hudson
Baker	Kazen
Bradshaw	Krueger
Colson	Lane
Crump	Martin
Dies	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips

Ratliff	Secrest
Reagan	Smith
Roberts	Willis
Rogers	Wood

Absent

Hazlewood	Herring
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Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Willis
Lane	Wood

Absent

Hazlewood	Herring
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Absent—Excused

Weinert

**House Bill 682 on Second Reading**

On motion of Senator Bradshaw and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 682, A bill to be entitled "An Act authorizing the State Librarian to dispose of any records of the State of Texas legally in his custody that are more than ten years old which he shall determine to be valueless to the State of Texas as official records; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

**House Bill 682 on Third Reading**

Senator Bradshaw moved that the

Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 682 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith

Absent

Hazlewood	Willis
Herring	Wood

Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Wood
Lane	

Absent

Hazlewood	Willis
Herring	

Absent—Excused

Weinert

**House Bill 506 on Second Reading**

On motion of Senator Fly and by

unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 506, A bill to be entitled "An Act (amending the Insurance Code of Texas, Acts 1951, Fifty-second Legislature, Chapter 21, by adding a new article thereto) to provide that minors not less than ten years of age and without guardians of their estates may contract for and otherwise acquire policies of life, term or endowment insurance, or annuity contracts, and exercise all rights and powers and give valid acquittance thereunder notwithstanding their minority and as though of full legal age; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 506 on Third Reading

Senator Fly moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 506 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Wood
Lane	

#### Absent

Hazlewood	Willis
Herring	

#### Absent—Excused

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### House Bill 422 on Second Reading

Senator Hudson asked unanimous consent to suspend the regular order of business and take up H. B. No. 422 for consideration at this time.

There was objection.

Senator Hudson then moved to suspend the regular order of business and take up H. B. No. 422 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—18

Aikin	Martin
Crump	Moffett
Dies	Owen
Fuller	Parkhouse
Gonzalez	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Secrest
Lane	Smith

#### Nays—8

Baker	Hardeman
Bradshaw	Phillips
Colson	Ratliff
Fly	Wood

#### Absent

Hazlewood	Moore
Herring	Willis

#### Absent—Excused

Weinert

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 422, A bill to be entitled "An Act relating to persons not included within the meaning of the terms 'motor carrier' and 'contract carrier' as said terms are used in Chapter 314, Acts of the 41st Legislature, 1929, as amended; amending Section 1a (1) of Chapter 314, Acts of the 41st Legislature, 1929, as amended, which was added to said Act by Chapter 290, Acts of the 47th Legislature, 1941, by adding thereto subsections (f) and (g); and declaring an emergency."

The bill was read second time and was passed to third reading.



**Motion to Place  
House Bill 422 on Third Reading**

Senator Hudson moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 422 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

**Yeas—17**

Aikin	Martin
Bradshaw	Moffett
Crump	Owen
Dies	Parkhouse
Gonzalez	Reagan
Hudson	Roberts
Kazen	Secrest
Krueger	Smith
Lane	

**Nays—9**

Baker	Phillips
Colson	Ratliff
Fly	Rogers
Fuller	Wood
Hardeman	

**Absent**

Hazlewood	Moore
Herring	Willis

**Absent—Excused**

Weinert

**House Concurrent Resolution 98  
Ordered Not Printed**

On motion of Senator Bradshaw and by unanimous consent H. C. R. No. 98 was ordered not printed.

**Motion to Place  
House Bill 811 on Second Reading**

Senator Parkhouse asked unanimous consent to suspend the regular order of business and take up H. B. No. 811 for consideration at this time.

There was objection.

**Adjournment**

On motion of Senator Hardeman the Senate at 5:43 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

**SIXTY-THIRD DAY**

(Tuesday, May 12, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, as the sound of the gavel marks the end of this session of the Senate, we commit ourselves and all that has been said and done here until Thee and the people of Texas. If we have failed, forgive us; judge us not by our deeds, but by our motives, and my Thy peace inhabit all our hearts through Jesus Christ, our Lord. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Message from the House**

Hall of the House of Representatives  
Austin, Texas,  
May 12, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 414 by viva voce vote.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate